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| APPLICATION NO |). FI | LING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|----------------|-----------------------|---------------|----------------------|---------------------|------------------|--|
| 10/658,430 | 10/658,430 09/08/2003 | | Ming-Lun Szu | | 4727 | |
| 25859 | 7590 | 09/09/2004 | | EXAMINER | | |
| WEI TE (| CHUNG | | DINH, PI | DINH, PHUONG K | | |
| FOXCON | N INTERNA | ATIONAL, INC. | | | | |
| | OREX DR | | ART UNIT | PAPER NUMBER | | |

2839
DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) | | | | | |
|--|--|--|--|--|--|--|--|
| | 10/658,430 | SZU ET AL. | | | | | |
| Office Action Summary | Examiner | Art Unit | | | | | |
| | Phuong KT Dinh | 2839 | | | | | |
| The MAILING DATE of this communication a | ppears on the cover sheet with the o | correspondence address | | | | | |
| Period for Reply | | | | | | | |
| A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory perions - Failure to reply within the set or extended period for reply will, by state - Any reply received by the Office later than three months after the maine earned patent term adjustment. See 37 CFR 1.704(b). | 1. 1.136(a). In no event, however, may a reply be tinely within the statutory minimum of thirty (30) day by will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE | mely filed ys will be considered timely. It the mailing date of this communication. ED (35 U.S.C. § 133). | | | | | |
| Status | | | | | | | |
| 1)⊠ Responsive to communication(s) filed on 08 | September 2003. | | | | | | |
| ·— · · — | nis action is non-final. | | | | | | |
| 3) Since this application is in condition for allow | vance except for formal matters, pro | osecution as to the merits is | | | | | |
| closed in accordance with the practice under | closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. | | | | | | |
| Disposition of Claims | | | | | | | |
| 4)⊠ Claim(s) <u>1-15</u> is/are pending in the application | on. | | | | | | |
| | 4a) Of the above claim(s) is/are withdrawn from consideration. | | | | | | |
| 5) Claim(s) is/are allowed. | | | | | | | |
| 6)⊠ Claim(s) <u>1-15</u> is/are rejected. | _ | | | | | | |
| 7) Claim(s) is/are objected to. | | | | | | | |
| 8) Claim(s) are subject to restriction and | 8) Claim(s) are subject to restriction and/or election requirement. | | | | | | |
| Application Papers | | | | | | | |
| 9) The specification is objected to by the Exami | ner. | | | | | | |
| 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. | | | | | | | |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). | | | | | | | |
| Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). | | | | | | | |
| 11)☐ The oath or declaration is objected to by the | Examiner. Note the attached Office | Action or form PTO-152. | | | | | |
| Priority under 35 U.S.C. § 119 | | | | | | | |
| 12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). | | | | | | | |
| a)⊠ All b)□ Some * c)□ None of: | | | | | | | |
| 1. Certified copies of the priority documents have been received. | | | | | | | |
| 2. Certified copies of the priority documents have been received in Application No | | | | | | | |
| 3. Copies of the certified copies of the priority documents have been received in this National Stage | | | | | | | |
| application from the International Bure | , , , , | | | | | | |
| * See the attached detailed Office action for a list of the certified copies not received. | | | | | | | |
| | | | | | | | |
| Attachment(s) | □ | (DTO 440) | | | | | |
| Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4) Interview Summary Paper No(s)/Mail Da | (P1O-413) ate | | | | | |
| 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date <u>09/03</u> . | | Patent Application (PTO-152) | | | | | |

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DETAILED ACTION

Claim Objections

- 1. Claims 1-4 are objected to because of the following informalities:
- 2. Claim 1, line 6, "the first extending portion" has no antecedence basis.
- 3. Appropriate correction is required.

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 1-15 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 6,749,440. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims of the application include all significant limitations of the patent, case claims, and differ basically by omission of certain limitations or by more broadly stating such limitations.

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Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 7. Claims 5-6, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin (U. S. Patent 6,227,869).
- 8. Regarding claim 5, Lim discloses an electrical connector for electrically connecting two electrical components substantially rectangular housing 2 defining a plurality of terminal passage 20 and a plurality of terminal passages and a plurality of terminals each of received in a corresponding terminal passage, the terminal each comprising a retention portion 43 and an extending portion 42 extending from the retention portion respectively disposed outside the corresponding contact passage for engaging with the electrical components; wherein the extending portion defines an engaging portion for mating with the retention portion for mating with retention portion in order to form two electrical paths 90, 91 between the first and second mating portion, when the contact electrically mates with the electrical components.
- 9. Regarding claim 6, Lin discloses the housing defines four sidewalls, which cooperatively define an opening therebetween.
- 10. Regarding claim 9, Lin discloses the engaging portion is disposed at a free end of the extending portion (extending tip 400 defines a free end).

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Claim Rejections - 35 USC § 103

- 11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 12. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of McHugh (U. S. Patent 6,164,978).
- 13. Regarding claims 7-8, Lin discloses the claimed invention except for side walls define a first spring cantilever extending into the opening. McHugh discloses the sidewalls define a first spring cantilever extending into the opening. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lin to provide the sidewalls define a first spring cantilever extending into the opening as taught McHugh so as to keep the package in alignment.
- 14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Reichardt (U. S. Patent 6,000969).

Regarding claim 10, Lin discloses the claimed invention except for the retention portion comprises two legs and a connecting portion interconnecting the legs each of the legs forming a plurality of barbs on an outer edge. Reichardt discloses the retention 11 comprises two legs 13 and a connecting potion interconnecting the legs each of the legs forming a plurality of barbs 14 on an outer edge. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify

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Lin to provide the plurality of barbs as taught by Reichardt so as to provide better securing of the contact to the housing.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong KT Dinh whose telephone number is 571-272-2090. The examiner can normally be reached on 8 -5, 5 days a week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner

Phylong Dinh August 12, 2004.